

EXHIBIT 5

13 CONFIDENTIAL
14
15 DEPOSITION OF JOHN LASSETER
16 Burbank, California
17 Wednesday, January 14, 2015
18 Volume I

20 Reported by:
21 ROCHELLE HOLMES
22 CSR No. 9482
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24
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16 Confidential Deposition of JOHN LASSETER, taken on
17 behalf of Plaintiff, at 2100 Riverside Drive, Suite 301,
18 Burbank, California, beginning at 10:35 a.m. and ending
19 at 12:30 p.m. on Wednesday, January 14, 2015, before
20 ROCHELLE HOLMES, Certified Shorthand Reporter No. 9482,
21 Certified Realtime Reporter No. 0123.

1 your deposition, did you meet with anybody else
2 specifically to prepare for your deposition?

3 A No.

4 Q Did you have any conversations with any Pixar
5 or Disney employees with regard to your deposition?

6 A No.

7 Q Other than the fact that perhaps "I have to go
8 get my deposition taken?"

9 MR. KLAUS: And just for the record, two of the
10 attorneys -- actually, three of the attorneys who were
11 present yesterday are employees of The Walt Disney
12 Company or Walt Disney Animation Studios, so I assume
13 you mean excluding counsel?

14 Q BY MR. GIGNAC: Excluding counsel, yes.

15 A No.

16 Q All right. Who is your current employer?

17 A Walt Disney Company.

18 Q Are you also employed by any Pixar entity to
19 your knowledge?

20 A Pixar is part of The Walt Disney Company, so
21 it's all covered under The Walt Disney Company, a wholly
22 owned subsidiary.

23 Q What is your position at The Walt Disney
24 Company?

25 A Chief creative officer of the Walt Disney

1 Animation Studios and Pixar Animation Studios and the
2 principal creative advisor for Walt Disney Imaginary.

3 Q Do you consider that to be all one position or
4 is that three positions separated by "ands"?

5 MR. KLAUS: Object to the form.

6 You can answer the question if you understand
7 it.

8 THE WITNESS: I don't. I creatively oversee the
9 Pixar and Walt Disney Animation Studios, and then I am a
10 principal creative advisor for Disney Imaginary
11 designing theme park attractions.

12 Q BY MR. GIGNAC: Have you been in that same
13 position since at least 2011?

14 A Yes.

15 Q Is your position such that you have people at
16 The Walt Disney Company who report directly to you in
17 the chain-of-command sense?

18 MR. KLAUS: Object to the form in terms of The Walt
19 Disney Company. Do you mean animation studios and Pixar
20 or other entities under Disney?

21 Q BY MR. GIGNAC: He told me he was an employee
22 of The Walt Disney Company, so is there a reporting
23 hierarchy within your position such as there are people
24 that report directly to you?

25 A Define "report." What do you mean by "report?"

1 Q BY MR. GIGNAC: What I'm trying to understand
2 is if there is a clear line of demarkation.

3 A There is a very clear line and I will explain
4 why. It's union. The Walt Disney Animation Studio is a
5 union -- has union employees and unions govern that.
6 The Pixar Animation Studios is non-union, and therefore,
7 no employee can cross over and work on each other's
8 projects. So it's very clear. A very clear separation.

9 Q With respect to the trailer that was created
10 for the movie Frozen, you are familiar with that
11 trailer?

12 MR. KLAUS: Do you mean the Frozen teaser trailer
13 that is at issue in the in this case?

14 MR. GIGNAC: Yes.

15 THE WITNESS: Yes.

16 Q BY MR. GIGNAC: What do you understand to be
17 meant by the term of art, I guess, "teaser trailer" as
18 opposed to just trailer?

19 A A teaser trailer is the first trailer to be
20 released for any given movie, and it's released well in
21 advance of the theatrical release window. The term
22 "teaser" is to tease people to get excited about --

23 Q About the movie?

24 A -- about the movie.

25 Q All right. How would you describe for me your

1 involvement in the creation of the teaser trailer that
2 is at issue in this litigation for the movie Frozen?

3 A My involvement was to initially to direct the
4 artists in exploring ideas to see what they would come
5 up with. Then sort of collectively in collaboration
6 with the directors of Frozen and the story staff of the
7 movie Frozen, already working on the movie, to then
8 collectively kind of look at all these ideas and narrow
9 the ideas down to what we wanted to create.

10 In our case, the teaser trailer was animated
11 before the movie was going into production, meaning
12 going into animation, so it was going to be a little
13 kind of stand-alone piece of animation. So I kind of
14 oversaw that in collaboration with the team making
15 Frozen.

16 Q At the end of the day, were you the person that
17 would have the final call on what exactly the Frozen
18 teaser trailer looked like?

19 A Yes.

20 Q In terms of the beginning of the day when the
21 teaser trailer was being developed, were you the person
22 that put forth what we might call just the outline for
23 what the teaser trailer was going to look like --

24 A Yes.

25 Q -- in this case, it was going to end up being

1 international marketing partners and there was
2 discussion as to, you know, the type of teaser trailer
3 that would work best for them.

4 Q BY MR. GIGNAC: You were present at that
5 meeting; correct?

6 A Yes.

7 Q Was there a discussion at that meeting about
8 having the teaser trailer developed in a way that would
9 be a trailer that would have little dialogue in it?

10 MR. KLAUS: Just so we are clear, when you say "the
11 teaser trailer," it's the generic concept of a teaser
12 trailer, not this particular teaser trailer for Frozen.

13 MR. GIGNAC: No. I'm speaking in reference to the
14 actual teaser trailer for Frozen.

15 THE WITNESS: Yes.

16 Q BY MR. GIGNAC: All right. Was there also
17 discussion at that meeting regarding the concept of
18 having the teaser trailer for the Frozen movie being a
19 trailer that had a lot of physical comedy in it?

20 A Yes.

21 Q What other discussion can you remember from
22 that meeting about how the teaser trailer for the Frozen
23 movie was going to be developed or was envisioned at
24 that time?

25 A The foreign marketing -- I don't want to say

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1 partners -- but the foreign marketing directors for
2 Disney that release our films internationally, requested
3 it to have little or no dialogue because it saves a lot
4 of effort in translating it in all the different
5 languages it needs to be. Also, the physical comedy was
6 requested because there was -- we all had concern to
7 make sure that boys and men would be excited about
8 seeing Frozen which was, we knew, to be a fairytale with
9 not one but two princesses, and it was a musical. And
10 prior to Frozen coming out, if men or boys knew of that,
11 they would not ever walk into the theater. So that's
12 what marketing is about. You want to market to -- the
13 way I look at it is you want to market not to people who
14 you know will be excited to see the movie, but you want
15 to market it to the people who would look at it and say,
16 "This isn't for me." So the teaser trailer is very
17 important to us because we always say that you only get
18 one chance to make a first impression. And first
19 impressions are very difficult for the audience to get
20 off of. So we put a lot of effort into this initial --
21 the initial teaser trailer to make it something so
22 everybody looks at it and says, "Wow, this would be for
23 me."

24 The international markets were very interested
25 in physical comedy because that works very well in many

1 of their countries and that's what they were interested
2 in.

3 Q All right. So as of the time of this meeting
4 in 2012 with the international marketing folks, was the
5 teaser trailer for the Frozen movie already in
6 development as of that point in time?

7 A No.

8 Q It was simply an idea at that time; is that
9 correct?

10 A The idea of creating a teaser trailer, yes, we
11 knew we were going to be doing one.

12 Q The idea hadn't progressed to a point of
13 settling on any characters or anything of that nature;
14 is that correct?

15 A When you say, "the idea," what do you mean? Is
16 it the exact teaser trailer that we produced, or is it
17 the notion of a teaser trailer?

18 Q Not just the notion of a teaser trailer, but
19 basically putting some bones to the teaser trailer?

20 A Define what you mean by "bones."

21 Q Any ideas for the teaser trailer, whether it
22 would be characters, whether it would theme, how the
23 scenes were going to be done, anything of that nature;
24 anything beyond the fact of yes, we are going to have a
25 teaser trailer for this movie?

1 fairytale. The marketing for that was very even with
2 the male characters, there is a very funny horse
3 character in it along with Rapunzel, and we kept any of
4 the music out of it so that it looked more like a
5 balanced, well-rounded movie for the male audience, both
6 boys and men to go to it. The movie came out and it was
7 a big success. And it opened the door. And we learned
8 from that. So from those learnings, approaching now
9 Frozen, which didn't have one but two Disney princesses,
10 and it was a full-blown musical and we knew it, we
11 wanted to market the film in the same way that we had
12 learned from our Princess and The Frog experience and
13 Tangled experience, so the initial piece of marketing
14 that was going to be released to the public, the teaser
15 trailer, and an accompanying teaser poster, movie
16 poster, we approached this same philosophy; that we
17 wanted to basically not have focus on the princesses,
18 the two main characters, Anna and Elsa, but to focus on
19 the comic sidekick characters that would be appealing to
20 the male audience as well as the female audience. So
21 that is why in the teaser trailer we focused on Olaf,
22 the snowman, and Sven, the reindeer.

23 Q And I appreciate your explanation on that, I
24 sincerely do. And what I take from it, and you can
25 correct me if I'm wrong, is at the end of the day the

1 meeting that you attended?

2 A I do not recall that this was the last one.

3 Q Independent of what it says on this document,
4 do you actually recall attending this meeting?

5 A I would have to read through it.

6 MR. KLAUS: Do you want him to read through it?

7 MR. GIGNAC: Yes.

8 Q BY MR. GIGNAC: Take a quick look and just to
9 confirm, I know it says you were in attendance at the
10 meeting. I just want to make sure.

11 A I trust that if the notes say I was there, I
12 was there, but -- okay.

13 Q Having taken a look at that, does that help you
14 confirm whether or not you were present for that
15 meeting?

16 A I was there. I was present.

17 Q You are a fan of short films; aren't you, sir?

18 A Yes.

19 Q And do you recall being in attendance at the
20 Santa Barbara International Film Festival in 2011?

21 A I'm trying to remember it. 2011. Cars II, I
22 think, had come out. Right? I don't really remember.

23 Q The Santa Barbara international Film Festival
24 is not a film festival that you attend on an annual
25 basis?